



**PLANNING COMMISSION REGULAR SESSION AGENDA**  
**Monday, August 08, 2016 - 7:00 PM**  
**City Hall, Council Chambers, 169 SW Coast Hwy, Newport, OR 97365**

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The meeting location is accessible to persons with disabilities. A request for an interpreter for the hearing impaired, or for other accommodations for persons with disabilities, should be made at least 48 hours in advance of the meeting to Peggy Hawker, City Recorder at 541.574.0613.

The agenda may be amended during the meeting to add or delete items, change the order of agenda items, or discuss any other business deemed necessary at the time of the meeting.

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**1. CALL TO ORDER AND ROLL CALL**

**2. APPROVAL OF MINUTES**

**2.A. Approval of the Planning Commission regular session meeting minutes of July 25, 2016.**

[Draft PC Reg Meeting Minutes 7-25-16.pdf](#)

**3. CITIZENS/PUBLIC COMMENT**

*A Public Comment Roster is available immediately inside the Council Chambers. Anyone who would like to address the Planning Commission on any matter not on the agenda will be given the opportunity after signing the Roster. Each speaker should limit comments to three minutes. The normal disposition of these items will be at the next scheduled Planning Commission meeting.*

**4. ACTION ITEMS**

4.A. Final Order for File No. 1-NCU-16. Approval of the final order and findings approving a nonconforming use permit as requested by First Baptist Church (Pastor Glen W. Small, authorized representative) for an addition to the nonconforming structure at 628 NW Grove Street. The Commission held a public hearing on this matter on July 25, 2016.

[File No. 1-NCU-16 Final Order.pdf](#)

4.B. Discussion regarding members for the SDC/CET stakeholders list.

[Staff Memo--SDC-CET.pdf](#)

## 5. PUBLIC HEARINGS

## 6. NEW BUSINESS

6.A. Information on the Marine Studies Initiative Newport Building Siting Recommendation.

[Marine Studies-Initiative Newport-Bldg Siting Recom.pdf](#)

## 7. UNFINISHED BUSINESS

7.A. Information on Planning Commissioner Training sponsored by the Oregon City Planning Directors Assn.

[2016 PC Training Registration Form.pdf](#)

## 8. DIRECTOR COMMENTS

## 9. ADJOURNMENT

**Draft MINUTES**  
**City of Newport Planning Commission**  
**Regular Session**  
**Newport City Hall Council Chambers**  
**Monday, July 25, 2016**

**Commissioners Present:** Jim Patrick, Rod Croteau, Lee Hardy, Jim Hanselman, Bob Berman, and Mike Franklin.

**Commissioners Absent:** Bill Branigan.

**City Staff Present:** Community Development Director (CDD) Derrick Tokos and Executive Assistant Wanda Haney.

1. **Call to Order & Roll Call.** Chair Patrick called the meeting to order in the City Hall Council Chambers at 7:00 p.m. On roll call, Hardy, Berman, Croteau, Patrick, Franklin, and Hanselman were present. Branigan was absent, but excused.

2. **Approval of Minutes.**

A. Approval of the Planning Commission regular session meeting minutes of June 13, 2016, and the work session minutes of June 27, 2016.

**MOTION** was made by Commissioner Croteau, seconded by Commissioner Berman, to approve the Planning Commission meeting minutes. The motion carried unanimously in a voice vote.

3. **Citizen/Public Comment.** No public comments.

4. **Action Items.** No action items.

5. **Public Hearings.** At 7:01 p.m. Patrick opened the public hearing portion of the meeting by reading the statement of rights and relevance. He asked the Commissioners for declarations of conflicts of interest, ex parte contacts, bias, or site visits. Hardy declared a drive-by; Berman declared site visits to both and noted that he does volunteer work for OSU; Rod declared site visits to both and that he volunteers for Samaritan House; Mike declared site visits for both; and Hanselman declared site visits to both and that he supports Samaritan House through donations. Patrick called for objections to any member of the Planning Commission or the Commission as a whole hearing this matter; and none were heard.

A. **File No. 1-NCU-16.** A request submitted by First Baptist Church (Pastor Glen W. Small, authorized representative) for approval per Section 14.32/ "Nonconforming Uses, Lots, and Structures" of the Newport Municipal Code, for nonconforming use status of an existing building located on C-1 zoned property at 628 N Grove Street (Lincoln County Assessor's Tax Map 11-11-05-CD; Tax Lot 02300) that does not conform to the height buffer (NMC 14.18.010) and separated yard buffer (NMC 14.18.030) requirements of the Newport Zoning Ordinance. The church intends to construct an addition to the building and use the structure for church activities. The balance of the church property, to the west, is within an R-2 zone district.

Patrick opened the public hearing for File No. 1-NCU-16 at 7:03 p.m. by reading the summary of the file from the agenda. He called for the staff report. Tokos noted that the Commissioners had received in their packets the staff report containing findings and relevant criteria. He noted that he also had the entire application should there be any questions. He said, as Patrick pointed out, this is a request for alteration to a nonconforming use. In the city's code, we have rules for how nonconforming uses and structures can be modified. He explained that a nonconforming use or structure is something that was lawfully constructed at the time, and the rules were later changed giving it its nonconforming status. In this case the nonconformity has to do with the height buffer and separated yard requirement put in place to require some distance between commercial development and adjoining residential development. Typically, in commercial zones there are no setbacks; you can build up to the property lines. In this case, the setback for the commercial abutting residential is limited to ten feet at the property line and is scaled to increase at a 1:1 ratio. This takes into account that in commercial typically you can build up to fifty feet high, while residential is thirty to

thirty-five feet. The separated yard requirement requires a ten-foot separation and plantings to provide a visual buffer between commercial and residential. This is in an area where you have pre-existing development; there are a number of different commercial sites where larger structures are built up to the property lines. You have nonconforming lots in that area. As he pointed out in the staff report, in this particular case the abutting residential is actually the church, which is permitted in a residential zone. The pole building was built on the property line. The records show the building since 1935, and it has been maintained since even though portions have been torn down. The pole building has sustained the zero-foot setback since 1935. The church is proposing to do an addition, which they did set back to the east. The addition meets those two standards because it's further back on the property. That goes a long way in addressing the key standards that there's no greater adverse impact on the neighborhood considering the character and history of the area and the impacts on privacy, services, solar access, etc. Tokos said that the applicant has done a nice job trying to work with the property they have in situating the building so it would otherwise meet the standards. They're not putting a large structural mass on the property line. They already have the pole building and are not proposing to modify that in any way. Should the church ever choose to sell this parcel, it could be independent of the church operation. Also, there's space for parking should they sell that and the church parking to the west becomes unavailable. Tokos thought that by and large the application meets the standards for approval and recommended that the Planning Commission approve this subject to the applicant carrying out the addition as is proposed. He said he'd be happy to put together findings and final order to that fact for the next meeting.

**Proponents:** Glen Small, 244 NE 8<sup>th</sup> Street, Newport, representing the First Baptist Church, 208 NW 6<sup>th</sup> Street, came forward to address the Commission. Small said that CDD Tokos did a great job explaining this request. He had just a couple of details to add. He said that he understands that the distinction between commercial and residential was put in place to protect residential properties. In this case that residential property is the First Baptist Church. He said it's kind of the back side of the church, so that view factor doesn't come into play. He said that in developing this property, they are hoping to enhance the overall quality of the entire area. That area has the appearance of a vacant lot and invites transients and use as a garbage dump. The hope is that as it's developed with landscaping and a new building, that will discourage that activity to the benefit of the neighborhood.

Berman asked Small if he had discussed the proposal with Bike Newport. Small noted that Elliott Crowder of Bike Newport was in attendance as well. Small said that Bike Newport is a great neighbor. They talk a lot about the property and how to reduce that kind of traffic.

Elliott Crowder, owner of Bike Newport, 150 NW 6<sup>th</sup> Street, came forward to testify. Crowder wanted to let the Commission know that he fully supports the plans of the church. He noted that, as the neighbor with the primary impact, he's happy about it. He's all for the project. His property is the only one that adjoins that lot other than Pro-Build. He said Bike Newport is in full support of the project.

There were no other proponents present wishing to testify.

**Opponents or Interested Parties:** There were no opponents or interested parties present wishing to testify; so rebuttal was waived.

Patrick closed the public hearing at 7:13 p.m. for deliberation. Hardy thinks this is a wonderful improvement and has no problems with it. Berman agreed. He asked if that's a platted city street. Tokos said that's actually Grove and there are public utilities in there. Berman asked if there's any anticipation of doing actual improvement on that street; and Tokos said not to his knowledge. Berman said he thought the request is pretty straightforward and will be an actual improvement. He said the approval criteria are met and he sees no issues at all. Franklin said everything looks good. It's great for the community. He thought it should move forward. Hanselman said it's a good project, well thought out, benefitting to the church and Bike Newport and even Pro-Build. He sees it as an appropriate step for the church. Patrick agreed that it meets the criteria and thinks it will be an improvement. He said one thing is that the Commission needs to have discussion about why we have such a setback when there's a street between the two zones. We want to pull commercial structures out to the street. He said that has nothing to do with this, but thought we should make a note somewhere for discussion at a work session.

**MOTION** was made by Commissioner Croteau, seconded by Commissioner Hardy, that the nonconforming use permit requested in File No. 1-NCU-16 be granted with the conditions indicated. The motion carried unanimously in a voice vote.

**B. File No. 1-SUB-16/1 & 2-PD-16/2-CP-16/1-Z-16.** A request submitted by Ronald L. Adams, Oregon State University (Bonnie Serkin, Landwaves, Inc., Property owner) (Elizabeth Decker, JET Planning, authorized representative) for modifications in order to allow for development of student housing to support OSU's expanding Newport operations centered around the Hatfield Marine Science Center and for multi-family development for Samaritan House. The proposed modifications would amend the Comprehensive Plan map and Zoning map designations by shifting locations of about 11 acres of low-density and high-density residential designated areas within the planned development with no net change to the total number of permitted dwelling units. The Commission will forward a recommendation on this matter to the City Council.

Patrick opened the public hearing for File No. 1-SUB-16/1 & 2-PD-16/2-CP-16/1-Z-16 at 7:16 p.m. by reading the summary of the file from the agenda. He called for the staff report. Tokos noted that, unlike the last application, the Commission will be providing a recommendation to the City Council. Normally a planned development would be approval by the Planning Commission; but in this case, there's an amendment to the Comprehensive Plan map and the zoning map, which requires Council approval. So, the entire package would be adopted by them should they find that the criteria are met and after a recommendation from the Planning Commission. Tokos said, should the Commission provide a favorable recommendation, he would put together a draft ordinance for Council consideration at a public hearing; likely on September 6<sup>th</sup>. He said, as Patrick pointed out, what the Commission has before them is a proposal for an amendment to Phase 1 of Wilder, which includes changing the Comprehensive Plan map. The change is largely up in the northwest corner of the planned development close to Harborton and 40<sup>th</sup> on the edge there. He noted that the applicant's Appendix "I" provides a good view of that. There's approximately 8.1 acres changing from low-density to high-density residential, and approximately 2.2 acres going from high-density to low-density residential. There's more in high-density being created along with the R-3 zoning; but the total number of units is not increasing. Wilder has a cap of 345 units. It provides more multi-family to accommodate 130 units of OSU student housing in Phase 4 on the south side of Harborton and Samaritan housing on the north side of Harborton. A daycare would be introduced as part of the Samaritan project. There is an approximately 13% deviation on parking standards. Right now for apartments, the requirement is one space for each unit for the first four and then 1.5 per unit for each additional apartment in the project. The applicant's reasoning is twofold. For one thing, their students are unlike the conventional apartment complex. They're likely to have just one vehicle per student as opposed to multiple cars per family. They do have space to provide additional parking should they need it. Tokos thinks it's reasonable to accept so we don't force over-parking that's not needed. He thinks transit will play a role, but it's not compelling up front. They have to travel to Newport and likely will have vehicles for that reason. Even going to and from class, if they're biking or walking or taking transit, they'll still need to park a vehicle. Tokos thinks this parking variance is feasible because the student dynamics are different than multi-family available for anybody. Our standards are not structured so close that they can't accommodate a 13% adjustment. Tokos noted that Phase 2B where there are 28 units of four-plexes has a small change. Where it was envisioned to be one parcel, they decided to put them on two parcels. They will change out the utilities provided to do that. In Phase 4, ADUs were eliminated. Tokos said those were the major changes that are part of this particular proposal.

Tokos said the criteria are outlined in the staff report. For the Comprehensive Plan map change, it's spelled out on pages 287-289 of the Comprehensive Plan. It's basically a public need for the change. He thinks that's documented at this point. We amended the Comprehensive Plan and Buildable Lands Inventory. Then once we learned about the OSU campus expansion, we went back; and through that dialog, prioritized the need that with the expansion they need to provide student housing. We added a policy to look hard at Wilder because of the proximity to HMSC. This planned development is above the tsunami inundation area; and it's close enough to the campus that it makes sense. The criteria for changes to zoning maps are that there needs to be public necessity, and it should promote public welfare. There are a number of standards for amending development plans in NMC Section 14.35. Each of those standards is discussed in detail in the staff report.

Tokos noted that a planned development is a little different than typical zoning in that it envisions tradeoffs and allows for some flexibility so that they don't have to build as each zone dictates. They have the ability to do different things with infrastructure like Wilder has done with the pedestrian-friendly, narrower streets. He noted that much of the staff report gets at the tradeoffs that have been done. There's the planned trail between Phases 3 and 4; the property owner will get that constructed. They will continue the nature trail type program in existence with trails connecting into Mike Miller Park.

Tokos noted that in the packets were two letters that came in during the comment period. One was an ODOT email expressing that they had no objections to this proposal, which is important to note. There's a long history of working with ODOT and the applicant, setting out rules for additional development and how much is too much before it impacts Highway 101. There's a trip budget established for that work; and Landwaves is well within that trip budget. They're shifting density around and not increasing the overall units. That was sufficient for ODOT. Also, there was a letter from Sara Schreiber outlining a number of issues. After the packets were distributed, three letters came in, which are in front of the Commissioners this evening. Those included one from Jim Shaw in support, another from Denise Guild, and another from Louise Dix with the Fair Housing Council. He noted that there has been concern with Samaritan House and whether it's appropriate in Wilder. He wanted to caution that under the rules we have to work with, a "family" is a "family". That's not something we can weigh in on. Twelve units of housing for Samaritan House is nothing different than market-rate in terms of our rules. There was also the reference to Goal 10. If this moves forward to the City Council with a favorable recommendation, he will put more in the ordinance that deals with that. We are required to do a Buildable Lands Inventory, which we have done. There's a documented need for more multi-family development in this city. There hasn't been anything substantial since Little Creek in 1993. In terms of who they choose to market those to, we have less control and less obligation under Goal 10 for what those rates are. We want to push for a mix of units available in different levels. We don't have any authority to dictate what it looks like on a development-by-development basis. He can put it in more tightly, but just didn't for this hearing.

Tokos noted that there's also a sidewalk going along the frontage of Phase 6. Four feet is proposed; but we will need at least five feet to meet disabled standards. He said those are the only two things that are outstanding. Neither will require substantial changes to the layout and can be sorted out before the City Council hearing.

As outlined in the staff report, Tokos believes there's sufficient information provided by the applicant that the criteria have been met to garner a favorable recommendation to the City Council.

Hardy asked if the OSU housing will be owned and managed by OSU. Tokos said he didn't know if the discussion has been made in that regard. He suggested she ask the applicant. Hardy wondered the same about the Samaritan housing; and Tokos said to raise that with the applicant as well.

Croteau noted that there was a reference to treatment of storm water, and he wondered what Public Works considers treatment of runoff. Tokos said he's not exactly sure and asked where the reference was. Croteau said on page 16 and 17. Tokos said the primary concern with storm water is to look at why it's necessary to extend public storm water through Phase 4 and dispense it on the south side and into a natural drainage way. The City's was in Harborton within the public right-of-way. It's easier to deal with. Treatment is required as part of that. Public Works will continue to look at that and get additional information from the applicant. Hanselman said he assumes the larger wetland feature is a continuation of the same drainage concept; not down slope down 40<sup>th</sup>. He said they mentioned that natural features of land can be used for drainage. He noticed they quickly eliminated the wetland. He said wetlands are natural flood preventers. They are water cleaning systems. In Phase 4 there's a rather large wetland that according to the proposals will be filled in. He's not sure of the policy; if you have to mitigate when you fill something. He said he was surprised they suggested using natural features to help with runoff yet filled the larger wetland. Tokos said there are times when wetlands have to be filled to develop property. When you look at wetlands, DSL is the primary controller. They will be most concerned about the largest wetlands; say along 101 in South Beach. With smaller isolated wetlands, and these would fall into that, they're more accommodating to allowing those to be filled. There's a certain amount of flood storage a wetland provides. The applicant will have to provide how the wetlands will be managed; structural (pipe), swale, or information that down slope drainage is large enough. In this particular case, this is the type of wetland that can be mitigated for development. Tokos said Hanselman may want to ask the applicant; but it's certainly something that can be done. What they proposed with the public facility through Phase 4 is not unreasonable. He said Public Works drives this to minimize what they have to maintain. Tim Gross will make sure it's the best way to handle it.

**Proponents:** Elizabeth Decker with JET Planning, 215 W 4<sup>th</sup> Street #209, Vancouver, WA 98660, who is the authorized representative for this application, came forward to testify as the proponent. Decker noted that the bulk of the amendments before the Commission as outlined in the staff report are provisions to provide for the 130-unit student housing and 12 units of affordable apartments. There is a minor lot division near the village center. She said they thank staff for working with them through this. Generally, they are in agreement with all of the findings. She said she would highlight some questions raised in the staff report, by the Planning Commission, and the public comments.

She said they are looking for a positive recommendation on the Comprehensive Plan and zone change for the planned development. The relative criteria in the Comprehensive Plan and the zoning code have been addressed. She said there have been some additional concerns about how this comes together. She noted that the Commission has seen Landwaves before. There have been a lot of evolutions in the long-term vision of the planned development. Decker said they appreciate the opportunity to work within the code with staff and the Planning Commission to shape this and provide something over and above. The vision has always been to provide a full range of housing types; apartments, ADUs, cottage houses, single-family, and custom homes. There's a broad range. The exact details have been changing. This proposal to discuss tonight is because they have opportunities for student and affordable housing. The latest refinement is not adding density; but they are adding multi-family. They are simply redistributing it. The initial layout had the main cluster near the village center. They will maintain some of that. Most will be moved to a new node in the northwest corner of Wilder where there's better access to HMSC, transit, and other services. Also it's nice visually because of the topography changes. The plan will still include single-family phases. Phase 5 will be on the east side of Harborton where there's more single-family to come. They are still sticking to 345 units already approved for Wilder. Regarding parking and traffic impacts, the net remains the same. There is open space throughout. Phase 4 has the trail. Traffic generation remains the same. Utility demand remains the same. It's just being shifted around. The development for the OSU housing is a long-term project; they are looking at 2025 or 2030 for full buildout; so it will continue to evolve. They started in 2014 with the initial conversation. That resulted in the Comprehensive Plan revisions. OSU is now actively pursuing this opportunity for student housing.

Decker said, as Tokos had mentioned, there's a minor adjustment to the parking standards for OSU from 1.5 to 1.3 per apartment. OSU will provide 184 parking spaces on their site; roughly one per bedroom. There are 180 bedrooms within the 130 units planned. The majority of these units, about 60-70%, will be one-bedroom or studios; which is much lower than other multi-family development. The overall parking generation will be lower compared to typical units with two bedrooms or families with more than one car. It's a long-term project for OSU. It's in their best interest to manage parking. From the traffic perspective, Wilder has been approved for 345 units. There's no change to that and no change to net traffic either. Harborton was approved as a collector; it has more than enough capacity to serve 345 units. The only thing this does is shift where it originates from to further north from the village center. It's a shorter route out to get to 101.

Decker noted that their application included the "Kit of Parts," which has been integral since the beginning. It's a tool they use as they build out to get the architecture and design standards for units that get built. They are proposing a new type; multi-family cluster apartments. That's what they're proposing for the student housing. The height limitation has already been approved. The cluster apartments will be built as individual buildings, each with twelve units; eleven individual buildings. Dispersing those creates new nodes; hopefully mini-communities. Decker said they also prepared a visual exhibit, Appendix "K", showing how the grade changes. Phase 3 is located to the south approximately 60 feet above Phase 4. The maximum height in Phase 4 is 45 feet. Phase 3 will have clear view over 4. Also, there's vegetation that acts as a buffer.

In terms of the wetland in Phase 4, Decker noted that the wetland is approximately 2,500 square feet. It's not graded as a high quality feature; it's an isolated feature. They are proposing to fully mitigate it outside Phase 4. They want to make the best use of this land. There's very little land for multi-family. That's why they're looking at how much to devote to parking and mitigating the wetland to maximize the opportunity to take advantage of this rare site. On site will be natural swale features that mimic some of the same features as the wetland.

Decker summed up that they are seeking approval of this combined application.

Croteau asked if the route between Wilder and Hatfield will be bike-friendly, and will there be provisions for that at both ends? He asked if they've thought about that in terms of bike facilities. Decker said they've discussed that preliminarily at the OSU site. She said she would have the OSU representative address how they've handle it at other sites. She said that's great feedback that they will look at not just meeting city standards but working with the students to understand their needs.

Hanselman asked Decker to describe the typical resident. Decker said for Phase 4, it would be Juniors and Seniors. They've done their requirements and have to apply to get into this program to do some advanced studies. Hanselman asked, 130 units, which is more than 1/3 in the development, will be filled by Juniors and Seniors in college? Decker said that's correct. Hanselman was just looking at the mix of that development and what some of the original thoughts

were for the people who had bought into it under one vision, and now we seem to have changing visions. That can sometimes be damaging for those who have already bought. He was just trying to figure out the distribution of age groups in this development; the road, traffic patterns, etc., and whether you want the community in essence to be 1/3 Juniors and Seniors in college. He said he's just thinking it through. Regarding the parking, he wondered if there's anything on the Corvallis campus that would support those parking numbers. Are there studio apartments in the same numbers as the project for Wilder that have worked in the Corvallis area? Decker noted that the representative from OSU was present and could speak to that; but she added that in general, they are proposing more parking per unit for the Wilder site than has been needed based on previous services in Corvallis. She said that OSU has data that they will be sharing. Hanselman said that he thinks bicycling is wonderful; as a group they would be purchasing fewer cars. He said, however, that the coast is known for our wet weather several months of the year. He said that his students didn't like to ride bikes in the rain. He wondered if OSU has ever considered a small bus; a shuttle. Decker said that has been considered. Again, she noted that Dave Craig with OSU will talk about that. She said that the vision has been evolving in terms of the mix of residents; but that's always been the vision of Wilder. She said that Bonnie Serkin with Landwaves could speak more about that.

Bonnie Serkin with Landwaves, the developer, 2712 SE 20<sup>th</sup> Ave, Portland, OR, testified next. Serkin wanted to address the question about the change in the mass of demographics and how it fits with the vision. She said the vision is what this is all about. She just spent two hours with the residents in Wilder talking about this application. She does this regularly with the residents. She said one take-away from that meeting is that the vision of Wilder has been so strong and well-received by the people living there. They treasure the vision and living there as much as the developer does. They state it rather clearly on the website and in the materials, and when she talks to groups. They're not a gated community. Every house has a front porch, and people use those porches. It's where homes are affordably priced. There's a sustainability factor. There's much access to nature. They opened their forests to bicyclists. There's dog walks, the dog park, and the golf course. She said that every resident can state what it's about. There was a lot of flexibility built in from the beginning when they were invited to bring that land back into the City in 2004 because OCCC needed a campus. They decided that a village would be a great thing to build there. The demographics changed somewhat, but the density hasn't changed. Just how it's being dispersed is a little different. When Phase 1 appeared on the ground, the idea of putting over 120 super-high-density units in the middle seemed almost the wrong direction in Wilder; so they considered dispersing the multi-family. She said this kind of harks back to that. She likes this model better. They took one-half to two-thirds density out of the middle area and put it physically separate down there when you first come into Wilder. Serkin said from talking to the owners, traffic and noise were a concern. This keeps traffic and parking way out of the village center. It's a workable solution. By putting OSU student housing and Samaritan House as the gateway to Wilder, it changes that aspect successfully. She said this is exciting for Newport because Wilder had the flexibility to offer OSU what they needed for student housing and the need for affordable housing. She said it's their privilege to provide to Samaritan House an area with access to public transportation and access to nature. She noted that Samaritan will stay involved in managing the housing; which is important to them, the owners' association, and the residents. Serkin said Landwaves is flexible enough to welcome both OSU and Samaritan into Wilder. Serkin noted that if you look at the plans, it's not just a monolithic building. They came back with small units with roof lines so that people looking down from Wilder into the OSU campus will see some of the prettiest roofs in town. Serkin said Landwaves is thrilled to work with them. She noted that also for the market-rate apartments, they are asking that one big lot be divided into two.

Berman asked Serkin when she's speaking with the residents, and some have strong feelings about the mix and how it's changing, what does she say to them. Serkin said it's the inclusiveness; the ability to provide a variety of housing to the people who live and work in this city. She said that's just what they are doing. The vision hasn't changed. She said the details were always meant to change because they can't predict where the demand is going to be; what the needs for the community and the people who live here will be.

Hanselman asked Serkin if Landwaves believes that this project helps existing housing issues for the current community of Newport. He noted that these are students coming here; not current residents. We have a pressing housing problem currently. He was trying to see how this helps the city. Serkin said so you don't have 300 students looking for housing when there's already a shortage of housing. Patrick said it doesn't address the current housing issue; but it does address finding housing for students, which he sees as very important. He hopes it would help. Serkin said the Samaritan project really helps where there's such a shortage of affordable housing units. Patrick said we have a lot of needs already. It's wonderful to look down the road, and it's important to work with OSU to find



housing. That's a transient population. They're important, but we also have a lot of permanent residents that have housing issues. Serkin said that Landwaves has 200 more acres up there.

Fred Garmire of 2G Associates, 400 Columbia St. Ste. 160, Vancouver, WA 98660, was the next proponent to testify. Garmire wanted to address some of the civil engineering components. He noted that he has been involved in this project since the first phase and has a good knowledge of what's up there and what's planned. He said that 40<sup>th</sup> Street, which is now Harborton, to serve the development and the college included utilities sized to serve the full buildout of the development. As phases have developed, they have extended that in each phase. He noted that Phase 2B is for the apartments; Phase 4 is for student housing; and Phase 6 is Samaritan House. They've taken that backbone system and extended it into those phases. He said the next step for them is to work out the details with Tim Gross on the public side for how he can maintain it and on the private side for how to provide services to the buildings. With what is shown on the plans right now they have an opportunity to work with Public Works on details that work for the city and provides the services they need. Overall the capacity is there. The water system has a pretty high-capacity booster pump system and sanitary connected to the public system. They'll work on the sizing to accommodate the number of units. Phase 4 storm water will be similar to what they had in the last application. Right now Harborton and 40<sup>th</sup> drain into the large swales on the side and then is collected by some inlets and right now discharges that runoff across Phase 4. What happened was, when they envisioned Phase 4 being developed, they didn't know what was going to happen there and put a storm line across there. There's some flexibility. They will work with Tim Gross on that as they did on the last phase. Regarding the traffic concerns brought up about the volume, he said they're not increasing traffic already in the Harborton design. It's just moving where the traffic starts down to Phase 4; so there will be less impact up the hill and toward the college. There will probably be less trips through Phase 1 residential, and a lot of the density in Phase 2 is moved down there. It should free up the capacity. Garmire noted that the sidewalk for Phase 6 that extends up from the current sidewalk on the north side of Harborton where Chestnut is will be continued around Phase 6. If needed, they can provide five feet and will work with Public Works. They will meet the requirements and what makes sense.

Tokos told Garmire that one of the things Gross will be looking for additional information on has to do with the sewer extension in Phase 4. Gross had just mentioned to him that when he looked at the grades on the far southern side, it's 82 feet and up by Harborton you're at 92 feet, and he didn't see a booster pump on the sanitary line. What kind of grade do you need to get that to gravity as it comes back into Harborton? And where exactly are those mains in terms of depth? Those are the kinds of details Gross will need to see to make sure the design is something that would functionally work at that location. Garmire said as far as the sewer, there are two stub-outs on Harborton to the side; on the lower end and where the existing driveway is. The lower is about 20 feet below. He will work with Gross.

David Craig with OSU, 957 SW Jefferson, Corvallis, OR 97333, testified next. Craig said they're excited to expand to Newport. He noted that student housing is critical. The students will be upper classmen that are here three to six months. They are focused on their studies. It's a competitive program that they're applying to get into. He said that OSU has experience in student housing. They are committed to managing the parking needs over the course of the future. Studies show that 30-35% of students living in nontraditional housing bring their cars with them to campus. Craig said they have a development in Corvallis that is managed through outside management (College Housing Northwest). Parking is through a permit system. It's a 245-bed facility, and 2/3 of the parking is used. They actually lease the rest of the parking to the private community. OSU wants to make the best use of this Wilder site that is out of the tsunami zone and in close proximity to OSU. They expect to have parking permits, shuttles to OSU and city services, and there may be some off-site parking. There's a direct walking and biking route along Ash and Ferry Slip that's about a mile and not along 101. That's one of the factors that attracted OSU to Wilder. Craig noted that they have campus design standards for bike parking. There will be bike parking at the housing site and at Hatfield. They've also had preliminary discussions with transit about adding a stop as well as potentially an entire route. They won't be fully developed until 2025-2030, so they will continue to develop the parking needs. He said this is for upper classmen. They are here to stay. They don't see a problem with this demographic in Corvallis. There will be a resident manager on site as well as assistants. Conduct applies in housing and off campus. They are accountable should there be behavior issues. To sum up, Craig said they are looking for the support of the Planning Commission.

Berman asked, in terms of the behavior, does OSU have internal rules that are more restrictive than the city's in terms of drinking, marijuana, and noise of parties. Craig said they have noise standards. He said typically what they find is that if the city has a noise ordinance, those standards are lower than OSU's. Noise impacts the students much sooner than other neighbors. He said as far as marijuana, it's still federally-regulated. They receive federal funding, so

marijuana is not allowed on the university. OSU's alcohol policy is that students of age can have alcohol in their rooms for their personal use; not in public and not on the grounds. It's not allowed on the university property other than in the private rooms. For violations, they run an in-house diversion program; and there's a cost to the student for that. Hanselman asked how many students are attending here currently. Craig said it varies from term to term; summer is the highest. He said there are 100 in-house in Hatfield right now. There are about 30 adjacent parking spaces; and today when he drove by, there were about eight or nine empty.

Bruce Mate, 176 SE Larch St, Newport, testified as a proponent. He said he's excited about what's happening. He came here because of HMSC. He said he's the most elder of the current staff. He's seen a lot of change since 1965. They wanted to make this a world class development. This direction will make that possible on a scale they've not had before. He said the overall vision came from the university president. They will hire 25 new faculty members to teach 75 courses a year. When they get to that 300, they might be looking at 50 faculty members. He said he's not aware of another facility that offers over thirty courses a year in marine-related studies; it's not just science. Mate was interested in marine biology. That's what brought him to the coast. His wife brought skills as a nurse. He would like to think that he became a good teacher. He wanted to be involved in something that makes a difference; and this program is that kind of thing. He's incredibly excited about this. In addition to the faculty that will come, they will hire graduate students and assistants. These are family-wage jobs. It will increase the diversity in Newport. It will bring additional interests. In the planning, some units will be two to three bedrooms. That makes it easier for transitional housing where you can start off with a young family. So there's the transitional aspect while they may be finding a home besides just students. Mate noted that Hanselman had mentioned the transient population of the students. In the summer there are 100 students; mostly undergraduates. Although individuals may be transient, it's a very static situation. This program will attract students from all over the nation and the world. Students will be competitive and will be serious about what they do. Noise will be self-policing. If a student is studying and there's noise next door, they will tell them to calm down. The need to house married students is also a concern. Right now they're spread out in the community. Mate has research assistants who commute daily from Corvallis. The MMI that he directs has five faculty members and 37 research assistants and graduate students; all of which are family-wage jobs. He said, but more importantly, they bring interests into the community and provide diversity and excitement about what they do. He said they have a budget from OSU of \$25 thousand a year. They brought in more than \$4.2 million worth of research from outside Oregon. He thinks the students will be very focused, and there won't be a noise issue. Craig said he's representing the students and the staff.

Berman said he was under the impression that Phase 4 was dedicated to students; but Mate just made reference to faculty. Will there be both? Mate said from the community meeting at OCCC, it was brought up that the multiple-unit aspect would provide for that transition. He understood that that might be a possibility. Craig came back up to address that. He said that it has been talked about; but the primary focus is to house the students. They will be looking into staff and graduate students needing housing. Mate added that some students will have their spouses with them.

Evelyn Brookhyser, 253 NE Chambers Ct., Newport, who is on the Board of Samaritan House had been asked to testify this evening on behalf of Samaritan House. Brookhyser wanted to give the background of Samaritan House. She said that their mission is to help homeless families with children reach independence through counseling and education. The parents have to pass a drug test, and they meet weekly with a case manager. They are given suggestions to reach success. The staff monitor each apartment. The parents are developing personal management skills like applying for jobs, interviewing for jobs, balancing family needs, parenting, supporting children to be successful in school, nutrition and keeping their families healthy, and learning how to manage money. Families don't pay rent. When they get a job, a percentage is given to Samaritan House who puts it into a savings account for the family. When the family moves out, that money is given to them to get into an apartment. They've had some families leave with \$3 thousand amassed. When these families move on, they really don't want to return to a car or a tent. They learn skills. They become responsible for meeting their own goals. When a family leaves, they have routines established. They're motivated not to return to a homeless lifestyle. They are the type that would be moving into the Wilder apartments. They know that life is better without drugs and alcohol. They are content with moving into independent living with those rules. They will be monitored by staff. There's a half-time person assigned. These families will be sent out of their apartment if they don't follow the rules of no drugs or alcohol. Also, overnight guests are limited. Brookhyser said that one thing that's interesting is that there's an 85% success rate with people that go through the program. Those would be moving into those apartments. She noted that some of the site improvements Samaritan House takes responsibility for is the sidewalk along the north side of 40<sup>th</sup> Street. Brookhyser noted that

low-cost housing is almost nonexistent in Newport. They are excited to extend services in Newport and being part of Wilder. She thanked the Commission for considering this and said Samaritan would appreciate their support.

Franklin asked if it will be random drug testing or just visual? Brookhyser said it will probably be visual. There's a case manager working with those families. Franklin asked if there will be a Samaritan employee living on site. Brookhyser said probably; there's the possibility. Berman asked what the program is that they've graduated from before they move in. Brookhyser said just what she discussed. They will have gotten to a lot more independent state at that time. The program is eight to ten months. Berman asked, it's finished off site? Brookhyser said yes. Lola Jones would be managing both. Hanselman asked, in terms of the residency, it's eight to twelve months? Brookhyser said that's the program operating now. Hanselman asked if there's overnight supervision. Brookhyser said probably not. She said Jones is creative. There may be supervision electronically. Franklin asked if there wasn't mention of a day care facility. Brookhyser said it looks like a separate building; number 3. They are working on a nursery. She said that Jones is working with other people in the community to operate that. Serkin came forward to provide some clarification because she's been talking with Jones. Serkin explained that the initial plan is to have a staff person on site during working hours; 9:00-5:00 Monday through Friday. At other times, someone would be available on call. She said that one thing they will work out in the formal agreement is exactly what that entails. They will maintain that close relationship to have their community interface with the rest of the Wilder community. Serkin said that the day care center is a relief nursery. The services that Samaritan provides is for the whole family. If there's the potential for child abuse in a family, what could exacerbate it is being together 24/7; so children can go into this relief nursery, and the parent can go shopping, to a job interview, or just go to the ocean. The program applies to the whole family. Serkin said it's an amazing support network that makes this workable. People who are selected will have gone through the transitional housing program getting skills. They will have been successful. Serkin noted that Jones hopes to make this a model.

Jon Oksenholt, Oksenholt Construction, PO Box 540, Lincoln City, OR 97367, came forward as an advocate. He noted that there is a slight change to the Phase 2B four-plexes previously approved, but you're not even going to notice it on the ground. Oksenholt said that their company has been the biggest builder out there; both for-rent and for-sale units. There's almost an insatiable demand. His site manager was injured in a water rescue and has been off the job; but now he's back. Oksenholt's looking forward to getting back to building more units. He said that he also owns rental units in university cities. He's heard this discussion before. Generally, it's the same no matter what residential housing is available; market or student. He said that we know OSU students are coming; and he thinks it's the City's responsibility to plan for that. He said that putting housing out of the tsunami inundation zone is important. He hasn't heard concern from folks that have built and the ones he has sold to about university housing; maybe more about Samaritan. He said he also would be in favor of asking about the drug testing. Having a strict policy in place might be prudent. Oksenholt said he's considered a reformed developer. He has been where Serkin and Emery are. It takes a strong financial commitment. He said they have been great for the City of Newport. They are very receptive to what the community has evolved into. He said part of the discussion about the village center was that with 130 units, the thought was that was too dense. Now it's a number much less than that. Oksenholt said that he appreciates the Commissioners' time. He said that some of these students may live here and replace the Commissioners' great brains behind the panel someday.

There were no other proponents present wishing to testify.

At 8:52 p.m., Chair Patrick called a short break. The meeting reconvened at 9:00 p.m.

**Opponents or Interested Parties:** Linda Roggenbury, a Wilder resident at 4340 SE Ellis Street, was the first to testify as a concerned individual. Roggenbury said that she moved there this spring. She has some concerns about Samaritan House. She said that the location isn't walking distance to shopping. It's not centrally located as it is now. She wondered how that's going to work if there's also less supervision and some distance. She said if they're in a community they're more likely to be where everybody is driving by in cars and wondered if OSU has a shuttle what the availability would be for the Samaritan families as well. She was also wondering about the use of the land if there are other spots that Samaritan has. Maybe the land where they are planning to put Samaritan might be needed by OSU for some uses in the future; say for graduate students or faculty. Roggenbury had a question about the OSU housing and whether there are lounges or food facilities or just bedrooms. Berman said these sound like valid questions. He thought that probably a face-to-face with Serkin or somebody within the development would be best for Roggenbury to get answers. Patrick said maybe those questions could be covered in the rebuttal.

Ryan Parker, Wilder resident at 4360 SE Fleming Street, testified next with some concerns. Parker said that he has no issue with the OSU side of the plan; but he has concerns about Samaritan House. He said that their director mentioned in the community meeting that this was a grant-based type of thing; and they would know in October. If they get money, they will quickly build it. The issue was brought up about sinking maintenance fund or funding to keep the facility in line with other Wilder design guidelines. He doesn't know that that question has been answered. He's concerned if they build a nice facility, and it doesn't get maintained. If there's a staffing shortage, it could start to not be a nice facility over the years. Since it's one of the first things you see as you go up the hill, the residents would be concerned about how it's maintained and how it looks. That will determine the acceptance by other residents. Parker said Samaritan was also asked about criminal backgrounds; and they were told that none had violent family backgrounds. He said he has young children. He knows that these people are going through tough times, but he's concerned as a parent. Just because these people have qualified, there may be family members that aren't pre-screened that drop by and maybe even bring RVs. He's concerned about the kids' safety and about the quality of life for his family. Parker said he also agrees with the concern about the lack of facilities. The County has a few social services offices by the courthouse. There's a lack of services on the other side of the bridge. He said imagine if they have difficulty with their cars. This location is not within walking distance. He suggested better testing more before making a decision on this site. He said that site is quite far from everything. He noted that it's also next to a power station, which brings up safety issues. Berman asked what Parker was referring to about living next to a substation. Samaritan has in-house training about the supervision of their kids. Parker said that Harborton is a 25-mph street; but as you roll down that hill you can get up to 45 mph without too much difficulty. He's aware that Central Lincoln will relocate their facility; but it's about keeping the children out of a dangerous area.

Constance McLeod, a Wilder resident at 4365 SE Fleming Street, also raised concerns. McLeod said she feels like she got the bait and switch. She was presented with the idea of community to be built in phases. It was on their billboards, all over their website, and in their brochures and flyers. She retired and bought her home to be here the rest of her life. She could still be here the rest of her life, but she doesn't know if she wants to live where there are speeding cars and more traffic. She feels like if she sold, she'd be buying high and selling low. It would be driving her property values down compared to what she was presented with. She said that she just found a heroin kit by the coffee shop. It was given to the sheriff's office. She said another thing, there is a pedophile who hangs out by the coffee house every day. She's concerned that Wilder will attract more people like that with Samaritan House. She said, like Parker mentioned, those people's visitors will not have been screened. She would want to know who is parking next to them to visit.

There were no other opponents or interested parties present wishing to testify.

**Rebuttal:** Decker returned to address the concerns. She said there will be transportation options for Samaritan. They have considered a shuttle option as well for grocery runs and that sort of thing. She said that OSU mentioned talks with transit. She said perhaps a pair of bus stops could be put in; and public transit as well as Samaritan could provide shuttles to serve those residents. Regarding the comments about the availability of services and the core of the County public services, there are long-term plans to develop South Beach out. She said don't think of what is just there today, but additional services that will be available in the future. In terms of visitors to Samaritan House, as was discussed at the community meeting, there are strict overnight parking regulations. Only residents can park overnight, and no RVs. Regarding funding to keep up maintenance, Decker said she didn't have specific details. Jones will get into that. Samaritan would be a member of the HOA and governed by CC&Rs. Regarding the dangers of the substation, Decker noted that that area is already zoned residential. It was precleared that that's where residential could happen. One additional tool that Samaritan has is the parenting classes. That's an on-going process of the operations of Samaritan. It could be brought up at the parenting classes. In terms of the traffic conflict, that's part of why they are building a sidewalk on Harborton. There will be marked crosswalks. There's a multi-use path on the south and west side that goes all the way to OSU and down to Twin Park into the village center where there will be additional services. In terms of how Wilder has built out, the community has always intended to build in phases; and some have always been multi-family. Decker said this plan provides for multi-family on the edges, there's buffering, it disperses the density, and minimizes impacts on the lots in the single-family Phase 1. In terms of overall traffic on Harborton, as we see Harborton today there's relatively low traffic. Decker noted that Wilder has been approved for 345 units. That roadway was built to accommodate the college and the extension of Harborton when it extends to 50<sup>th</sup>. Harborton was designed as a collector roadway to do everything including future phases of Wilder and was meant to keep traffic off the individual residential streets.

Serkin said, on phasing and the balance, she thinks what was perceived as a phasing problem was just that it was different than what people expect. Originally, Landwaves was thinking more single-family residences. That didn't pan out; so they got approval for D and 3. They expected those fifteen residential lots to be started by now. She noted as Oksenholt had mentioned, his six haven't started yet; but they're coming up now just a year later. Fowler is the other builder in Wilder, but they have been building in the Willamette Valley. They're still working with Wilder. They hope to get a commitment from them for next year in Phase 3. Serkin said single-family is still coming on. Where the golf course is, it's ready to be developed when its time is right. There will be fifty single-family houses on there. It will happen; it just didn't this year. Serkin said with Samaritan there are still details that need to be worked out. They haven't entered into a formal agreement yet. She thought that Parker's idea of a sinking fund is a great idea. It may be a good solution to something that she's concerned about, too; will properties be maintained. She said the design of the building is outstanding. That inspiration will be a model. There will be something in the agreement about what happens if they don't maintain the buildings. Serkin will also ask Lola Jones to meet with the residents again. Jones wasn't able to attend the hearing tonight, but she'll come back and address these specific concerns. There's the education on parenting. If they're crossing the streets wrong, Jones will include that. Approaching the substation, there will be safety training about that. Serkin has confidence that it will be effective.

Berman asked if they've considered speed bumps or some other device on Harborton. Serkin said it's a public road, and she doesn't have any control. Tokos said Public Works would say to find another way. Speed bumps cause a problem for fire engines and Public Works' heavy equipment that they use to maintain the sewer or what not.

Berman asked Serkin what mechanism they have for people that have complaints or issues like the heroin kit or the pedophile other than the HOA she mentioned. Serkin said she knows there's been a car parked with a person in it. It was reported to the police. That report came to her through the onsite manager. They've arranged for private security to patrol at the coffee shop at least until it's opened. She said that yesterday at the owners' meeting other topics came up; and they've already taken action on some things. Residents have been reporting to Jay Robinson, the onsite manager, or emailing Serkin or someone else in the office. There are open lines of communication, and action is taken.

Brookhyser said that you could go by the current Samaritan House on Bay Street and take a look at how that facility is maintained. There's just a small space that children have to play in, and there's been no issues with safety. That situation's not very good there; but it's being managed by the families.

Because it had been raised in the comments, Croteau asked Craig whether a recreational component and dining were planned. Craig said these are classified just as apartments with kitchens. There's a lot of open space; but a food service component, no. It's apartments.

Patrick closed the public hearing at 9:30 p.m. for deliberation. Hanselman said, although he has some reservations with this, especially having been a student and a teacher; he has no issues with students or the numbers of them. What he has concerns with is the distribution of the age groups that will now be represented in Wilder and that it's not addressing the current need; but he's still okay with the development of both. He doesn't have enough reservations to not recommend this to the City Council. Franklin said his thought are along the same lines. He agreed with what Serkin had stated about high density sitting right there in the center of Wilder; he thought that was a big problem. He actually likes this a lot better. He said OSU traffic doesn't need to be going up through Wilder where you have residents that want quiet. He thinks this actually adds to the vision and helps it out. He thinks it's important for Landwaves to organize this and set down with Samaritan House and talk things through. He thinks it's a go on both. Croteau said there have been a number of issues raised; but for the most part they have been responsibly addressed by the developer. He said this looks like a firm plan. It makes sense. It's satisfying a community need. It's viable to the Newport community. He's in favor. Berman agreed that student housing is necessary. He said with the average stay of a student being six months, there's never going to be a sense of community that includes those people. That little corner over there with both Samaritan House and OSU students won't ever really be a part of Wilder. Both of those functions are necessary. The concerns are being addressed. He agrees with going ahead and proceeding. Hardy thought it's an excellent opportunity for the community of Wilder to be as inclusive as the vision intended. She said one of the best cures to the divisiveness and total idiocy of prejudice is that idea of "us" and "them." The student population will get a chance occasionally to rub shoulders with the mature, settled adults. She thinks the same could happen with the Samaritan House residents. They will get to see the type of life more appealing than what they're

coming from. Hardy doesn't have the same concerns that have been expressed with respect to those kinds of people living in my neighborhood because she's a property manager. They are all human beings. She thinks it's a great idea and supports it. Patrick said he also supports the proposal. The cure to a lack of housing is more housing. He doesn't care what kind of housing it is; we'll take whatever we can get. He said that the majority of houses being built now are vacation rentals or second homes. At least these won't be. They'll actually get used. There will be people in them. He likes what Wilder is doing with their mixed use. It's nice to see this type of development where there's a mixture of uses. It's one of the urban design things they are doing these days. It does seem to work. He said it's great to see it.

**MOTION** was made by Commissioner Croteau, seconded by Commissioner Berman, that the Planning Commission make a favorable recommendation to the City Council to approve the request described in File No. 1-SUB-16/1 & 2-PD-16/2-CP-16/1-Z-16. The motion carried unanimously in a voice vote.

**6. New Business.** No new business.

**7. Unfinished Business.** No unfinished business.

**8. Director Comments.**

**A.** Tokos noted that the Planning Commission had received a copy of an article about the on-going discussion on the floodplain front. Tokos attended one FEMA outreach meeting in Tillamook, which was informative. This will be an on-going discussion over the next year or two to figure out how exactly we go about implementing this stuff. Tokos had some discussion with Kevin Greenwood with the Port of Newport, who are the most impacted. There's a fair amount of work to bring out what the certainty of these rules are, at least on an interim basis. What additional steps we will need to take to address the impacts to salmon basically as a result of development and redevelopment in floodplains and make sure it's a manageable program. When he asked the question to FEMA about how they deal with developed waterfronts, they referenced King County where they mitigate somewhere else. Mitigation banking may be an option for us, but Newport is not King County. There's a fair amount of work still to be done over the next year or two. Tokos will continue to bring information to the Commission to keep them informed on the progress.

**B.** Tokos noted that the UGB amendment for Lettenmeir was approved by the City Council. And the ordinance is final. It's going through the County approval process now. The first hearing with the County Planning Commission will be in a week or two.

**C.** The RFP for the SDC/CET project closes on August 5<sup>th</sup>. There's one proposal coming in, and Tokos is doing his best to get two or three. At the Planning Commission's August meeting he will bring the list of potential advisory members and discuss how to interface with that as well.

**D.** Regarding the planner recruitment, Tokos noted that the final interviews will be conducted on Friday and Monday. We should have somebody hired by mid-August and onboard in early September.

**E.** Tokos noted that the City Council accepted the committee's recommendation for a consultant; HDR. Now it's determining how many outreach meetings to hold, what the deliverables will be, and whether additional resources need to be brought to the table.

**F.** Tokos noted that the City Council had a joint work session on workforce affordable housing with Lincoln County, Lincoln City, and other elected officials. There was a good discussion. There was general consensus on things we've discussed such as the multiple-unit property tax exemption and leveraging foreclosed housing and that it needs to be done. There was some desire by the Economic Development Alliance that they be the umbrella through which some of this stuff happens. We'll see how that evolves. At their August 1<sup>st</sup> meeting, the Council will discuss their relationship with the Land Trust. The other partners made it clear that they have relationships with the Land Trust. Tokos said we'll see what the City Council wants to do; whether to continue with that relationship or not.

**G.** Croteau said that he has been getting this League of Oregon Cities magazine since he joined the Planning Commission. He noted that it has interesting stuff; and often there are things that are relevant. There was some discussion about how to get on the mailing list. Berman said he will pull out information on how to receive the

magazine and send an email. Haney will check with City Recorder Peggy Hawker as well. The Commissioners agreed that it looks like a good resource.

Franklin thought that Patrick had brought up a good point that a lot of homes going into our community are second homes and tourist-related. He wondered if there's anything we can do to keep from becoming like Lincoln City and keep from sucking out our available homes. Tokos said the City Council had an extensive discussion about this. He said we are not Lincoln City right now. We're not anywhere near their percentage at this point. They have something like 28% of their housing stock tied up in second homes and a good portion of that is vacation rentals. We are sitting at about 14%. Cannon Beach and Manzanita are at about 60-80%. If we start to see ourselves getting into that, then there may be discussion about things like capping the total number that will be issued business licenses. You can have that discussion. The Council said we're not there yet. Our program seems to be working. We need to continue to collect data so we actually have that information to base decisions on. Tokos said there's not much we can do about second homes; and a good chunk of vacation rentals come out of second homes. Tokos said Patrick made a good point, we have to get additional housing inventory. If we get it in areas like Wilder, that's not where we see vacation rentals. All VRDs are ocean view, next to tourist-related commercial; it's all location. Croteau said one thing to lessen the number of vacation rentals is increasing the commercial and industrial base of the city. Increasing the number of workers who are here as full-time residents. It's an indirect effect. It's one of the very few things we could encourage as a Planning Commission.

**H.** Tokos said that he appreciates the Commission's patience with all of this. A couple of the comments had been that this was hard to digest in such a short period of time. Fortunately, the Commissioners have been through the drill with Wilder a few times. He said we can slow these down a little bit and get more lead time if necessary on certain things. He just needs to get feedback from the Commission as to what your thoughts are at some point. Maybe we can do that at a work session. What Tokos wants to do with any applicant is make sure he gives them clear expectations of how the process works. So as long as he could tell them up front. Croteau said even getting stuff in parts even a week or two before hand. Tokos thought in this case he gave the applicant a little too much time to get their resubmittal in. It came in on the 20<sup>th</sup>, and Tokos was getting a report out the next day; and the Commissioners didn't get the materials until Friday. Berman said if there are oversize materials, for those who view the packet electronically, it would still be nice to pick those up. Maybe just a mention in the email notice about the packets that there are oversize materials to pick up at the desk. Hanselman said he knows he's miles behind the pack because the Commission has been dealing with Wilder for a while. For him, a work session or more lead time would have helped him in preparing for tonight because he didn't have the background. Patrick said that the only saving grace was that there was so much of this that the Commission had already been through.

**9. Adjournment.** Having no further business, the meeting adjourned at 9:50 p.m.

Respectfully submitted,

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Wanda Haney  
Executive Assistant

**BEFORE THE PLANNING COMMISSION  
OF THE CITY OF NEWPORT, COUNTY  
OF LINCOLN, STATE OF OREGON**

**IN THE MATTER OF PLANNING COMMISSION** )  
**FILE # 1-NCU-16, APPLICATION FOR ALTERATION/** )  
**EXPANSION OF A NONCONFORMING USE,** ) **FINAL**  
**AS SUBMITTED BY FIRST BAPTIST CHURCH** ) **ORDER**  
**(PASTOR GLEN SMALL, AUTHORIZED** )  
**REPRESENTATIVE)** )

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**ORDER APPROVING** a request per Chapter 14.32 (“Nonconforming Uses, Lots, and Structures”) of the Newport Municipal Code (NMC) for nonconforming use status of an existing 30-ft x 48-ft, 1,440 sq. ft. pole building on C-1 zoned property that does not conform to the height buffer (NMC 14.18.010) and separated yard buffer (NMC 14.18.030) requirements of the Newport Zoning Ordinance. The church intends to construct a 37-ft x 24-ft, two story 1,780 +/- sq. ft. addition to the building and use the structure for church activities. The balance of the church property, to the west, is within an R-2 zone district. The subject property is located at 628 NW Grove Street and is identified as Tax Lot 02300 of Lincoln County Tax Assessor’s Map 11-11-05-CD.

**WHEREAS:**

- 1.) The Planning Commission has duly accepted the application filed consistent with the Newport Municipal Code; and
- 2.) The Planning Commission has duly held a public hearing on the request, with a public hearing a matter of record of the Planning Commission on July 25, 2016; and
- 3.) At the public hearing on said application, the Planning Commission received testimony and evidence; and
- 4.) At the conclusion of said public hearing, after consideration and discussion, upon a motion duly seconded, the Planning Commission **APPROVED** the request.

**THEREFORE, LET IT BE RESOLVED** by the City of Newport Planning Commission that the attached findings of fact and conclusions (Exhibit "A") support the approval of the requested nonconforming use permit.

**BASED UPON THE ABOVE**, the Planning Commission determines that the request to alter/expand a nonconforming use is in conformance with the provisions of the Comprehensive Plan and the Municipal Code of the City of Newport; and the request is, therefore, granted subject to the following conditions:



1. Approval of this land use permit is based on the submitted written narrative and plans listed as Attachments to the Staff Report. No work shall occur under this permit other than that which is specified within these documents. It shall be the responsibility of the property owner to comply with these documents and the limitations of approval described herein.

Accepted and approved this 8<sup>th</sup> day of August, 2016.

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James Patrick, Chair  
Newport Planning Commission

Attest:

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Derrick I. Tokos, AICP  
Community Development Director

## EXHIBIT "A"

Case File # 1-NCU-16

### FINDINGS OF FACT

1. First Baptist Church (Pastor Glen Small, authorized representative) submitted an application on June 21, 2016, per Chapter 14.32 ("Nonconforming Uses, Lots, and Structures") of the Newport Municipal Code, for nonconforming use status of an existing 30-ft x 48-ft, 1,440 sq. ft. pole building on C-1 zoned property that does not conform to the height buffer (NMC 14.18.010) and separated yard buffer (NMC 14.18.030) requirements of the Newport Zoning Ordinance. The church intends to construct a 37-ft x 24-ft, two story 1,780 +/- sq. ft. addition to the building and use the structure for church activities. The balance of the church property, to the west, is within an R-2 zone district.
2. The subject property is located at 628 NW Grove Street (Lincoln County Assessor's Tax Map 11-11-05, Tax Lot 02300). The property is approximately 0.11 acre in size.
3. Staff reports the following facts in connection with the application:
  - a. Plan Designation: Commercial.
  - b. Zone Designation: C-1/"Retail and Service Commercial."
  - c. Surrounding Land Uses: Residential uses to the west and commercial uses to the north, south, and east. The property is bordered on the east and north by Pro-Build Lumber, on the south by Bike Newport, and on the west by the First Baptist Church.
  - d. Topography and Vegetation: The lot is level.
  - e. Existing Structures: A pole building with metal roof and siding.
  - f. Utilities: All are available to the site.
  - g. Development Constraints: None known.
  - h. Past Land Use Actions: None of record.
4. Upon acceptance of the application, the Community Development (Planning) Department mailed notice of the proposed action on June 30, 2016, to affected property owners required to receive such notice by the Newport Municipal Code, and to various city departments, agencies, and public utilities. The notice referenced the criteria by which the application was to be assessed. The notice required that written comments on the application be submitted by 5:00 p.m. July 25, 2016, or be submitted in person at the hearing. The notice was also published in the Newport News-Times on July 15, 2016.
5. A public hearing was held on July 25, 2016, at which the Planning Commission received the staff report and allowed for testimony on the request. The minutes of the July 25, 2016 meeting are hereby incorporated by reference. The Planning Staff Report with Attachments is hereby incorporated by reference into the findings. The Planning Staff Report Attachments included the following:

Attachment "A" – Applicant's Written Findings of Facts

Attachment "A-1" – Site Photographs  
 Attachment "A-2" – Sketch of Survey  
 Attachment "A-3" – Proposed Building and Site Plans  
 Attachment "B" – 1935 Building Survey  
 Attachment "C" – 1998 Building Permit  
 Attachment "D" – 2007 Demolition Permit  
 Attachment "E" – Zoning Map of Area  
 Attachment "F" – Public Hearing Notice and Map

6. Pursuant to NMC 14.32.040, applications must include a completed application form, scaled site plan, names and addresses of property owners within the notification area, survey work if structures will not satisfy setback requirements and exterior architectural elevations if structures will exceed building height limitations.

7. Pursuant to Section 14.32.070/“Alteration, Expansion, or Replacement of Nonconforming Uses and Structures” of the Newport Municipal Code, after verification of the status of a nonconforming use pursuant to Subsection 14.32.060, the approval authority may authorize alteration, expansion, or replacement of any nonconforming use or structure when it is found that such alteration, expansion, or replacement will not result in a greater adverse impact on the neighborhood.

8. Assessor records show that the applicant owns the property identified as Tax Lot 02300 on Tax Map 11-11-05-CD as well as the property to the west and northwest. A portion of the property is undeveloped, and the northerly portion contains a metal pole building that is approximately 30-ft x 48-ft in size. City records show that the building was constructed in 1998 (Attachment "C"). The subject property was purchased by the First Baptist Church in 2007. The existing pole building had previously been used as an automotive shop specializing in the installation of aftermarket pickup truck accessories. It was constructed adjacent to a 26-ft x 30-ft commercial/residential building, built as early as 1935, that was abandoned and demolished in 2007 under permit number 12325 (ref: Attachments "B" and "D"). Since acquiring the property, the church has used the existing pole building in various ways including vehicle storage and as an indoor play area and youth group meeting space.

9. The property, zoned C-1, is located on NW Grove Street, a dead-end road right-of-way that runs between the main church building and Bike Newport and accesses only property owned by the church. The balance of the church property, to the west, is zoned R-2. The existing building does not conform to the height buffer (NMC 14.18.010) and separated yard buffer (NMC 14.18.030) requirements of the Newport Zoning Ordinance. These requirements limit the height of new construction to 10-feet at a property line abutting a residential zone with an allowance that the height may increase at a rate of one foot for every foot of building setback. A 10-foot planted and landscaped yard is also required along the property line bordering the residential district. The existing metal pole building was constructed up to the property line adjoining the R-2 district (Attachments "A-2") and exceeds 10-feet in height. The property does not appear to have ever had a landscaped yard to serve as a buffer between the C-1 and R-2 zones (ref: Attachments "A-1" and "E").

10. The applicant states in their findings that their intention is to expand the existing building to provide additional meeting space for church activities and to landscape the surrounding property to enhance the area. For that reason, this nonconforming use permit application was submitted.

**11. Verification of Status of Nonconforming Use or Structure:** Pursuant to NMC Section 14.32.060, upon receiving an application to alter, expand, or replace a nonconforming use or structure, the approval authority shall determine that the use or structure is nonconforming. Such determination shall be based on findings that:

- The use or structure was legally established at the time the Zoning Ordinance was enacted or amended; and
- The use has not been discontinued for a continuous 12-month period.

The approval authority may require the applicants provide evidence that a use has been maintained over time. Evidence that a use has been maintained may include, but is not limited to, copies of utility bills, tax records, business licenses, advertisements, and telephone or trade listings.

The approval authority shall verify the status of a nonconforming use as being the nature and extent of the use at the time of adoption or amendment of the Zoning Code provision disallowing the use (September 7, 1982). When determining the nature and extent of a nonconforming use, the approval authority shall consider:

- Description of the use;
- The types and quantities of goods or services provided and activities conducted;
- The scope of the use (volume, intensity, frequency, etc.), including fluctuations in the level of activity;
- The number, location, and size of physical improvements associated with the use;
- The amount of land devoted to the use; and
- Other factors the approval authority may determine appropriate to identify the nature and extent of the particular use.

A reduction of scope or intensity of any part of the use as determined under this subsection for a period of 12 months or more creates a presumption that there is no right to resume the use above the reduced level. Nonconforming use status is limited to the greatest level of use that has been consistently maintained since the use became nonconforming. The presumption may be rebutted by substantial evidentiary proof that the long-term fluctuations are inherent in the type of use being considered.

**12. Applicable Criteria (Section 14.32.070):** After verification of the status of a nonconforming use pursuant to Subsection 14.32.060, the approval authority may authorize alteration, expansion, or replacement of any nonconforming use or structure when it is found that such alteration, expansion, or replacement will not result in a greater adverse impact on the neighborhood. In making this finding, the approval authority shall consider the factors listed below. Adverse impacts to one of the factors may, but shall not automatically, constitute greater adverse impact on the neighborhood.

- (1) The character and history of the use and of development in the surrounding area;
- (2) The comparable degree of noise, vibration, dust, odor, fumes, glare, or smoke detectable within the neighborhood;
- (3) Adequacy of infrastructure to accommodate the use. For the purpose of this subsection, infrastructure includes sewer, water, and streets;

- (4) The comparative numbers and kinds of vehicular trips to the site;
- (5) The comparative amount and nature of outside storage, loading, and parking;
- (6) The comparative visual appearance;
- (7) The comparative hours of operation;
- (8) The comparative effect on solar access and privacy;
- (9) Other factors that impact the character or needs of the neighborhood.

The approval authority must consider the purpose of the current zoning provisions that cannot be satisfied when determining whether or not the alteration, expansion, or replacement of a nonconforming use or structure will have a greater adverse impact on the neighborhood.

To the extent there is a rational nexus, and the City can establish that needed improvements are roughly proportional to proposed development, and alteration, expansion, or replacement of a nonconforming use or structure shall be brought into compliance with provisions of the Zoning Ordinance that relate to:

- (1) Surfacing or parking areas and landscaping;
- (2) Exterior design of structures;
- (3) Outdoor displays, storage, and signage.

## CONCLUSIONS

In order to grant the permit, the Planning Commission must find that the applicant has provided a complete application, that there is substantial evidence that the Commission can rely upon to verify the nature and extent of the existing nonconformity, and that the expansion will not result in a greater adverse impact on the neighborhood considering the criteria listed under NMC 14.32.070.

1. The applicant's property is located in a C-1/"Retail and Service Commercial" zoning district (Staff Report Attachment "C"). Nonresidential sites abutting or adjacent to a residential zone shall have a height limitation beginning at a height of ten feet at the property line abutting the residential zone and increasing at a slope of 1:1 for R-2 property until intersecting the height limit otherwise established in that district (NMC 14.18.010/"Height Buffer"). On any portion of a nonresidential site that is opposite from a residential district and separated therefrom by a street, alley, creek, drainage facility, or other open area, a minimum yard of ten feet shall be required. The minimum yard shall be planted and maintained as a landscape screen (excluding areas required for access to the site) (NMC 14.18.030).

2. Consistent with NMC 14.32.040, the applicant submitted a completed application form, narrative, names and addresses of property owners within the notification area, survey, site plan, floor plan, and architectural elevations. In sum, the Planning Commission finds that this constitutes substantial evidence upon which it can make a decision as to whether or not the approximate 37' x 24' 2-story addition to the building satisfies the City's standards for the alteration and expansion of a nonconforming use.

3. With respect to NMC 14.32.060, regarding the non-conforming status of the building, the applicant provided assessment information, utility statements, and building permit documents. Per the Newport Zoning Ordinance, the building is nonconforming if it is established that the facility

existed and has been continuously maintained since September 7, 1982. City permit records indicate that the property was developed as early as 1935 and, as of the date of the field survey in 1961, was occupied by a furniture upholstery business (Attachment "B"). The survey notes indicate that there were two buildings at the time, one of which as 30-ft x 30-ft in size and the other 27-ft x 30-ft. The 27-ft x 30-ft building appears to be the structure labeled "existing building" on the site plan provided at the time the metal pole building was constructed in 1998 (Attachment "C"). The site plan included with the 1998 permit shows that the pre-existing building, which appears to have been the residence that was later torn down in 2007, was constructed adjacent to the lot line that serves as the boundary between the C-1 and R-2 zone districts. The pole building was appended to that structure and was likewise built adjacent to the property line. Photographs provided by the applicant (Attachment "A-1"), and utility records contained in the case record, show that the pole building has been maintained in serviceable condition since it was constructed. Considering the above, the Planning Commission finds that the pole building qualifies as a nonconforming structure given that there is substantial evidence to demonstrate that lawfully constructed buildings have existed at this location with a zero setback from the property line adjacent to the R-2 zone since 1935 and that this setback has been maintained, in some form, continuously since the structures were rendered nonconforming in September 7, 1982.

4. After verification of the status of a nonconforming use, pursuant to Subsection 14.32.070, the approval authority may authorize alteration, expansion, or replacement of any nonconforming use or structure when it is found that such alteration, expansion, or replacement will not result in a greater adverse impact on the neighborhood. In making this finding, the Planning Commission shall consider the factors listed below.

a. The character and history of the use and of development in the surrounding area.

i. The applicant notes that the property was purchased by the church in 2007. An abandoned, dilapidated house was since demolished. The existing pole building has been used by the church for vehicle storage, indoor play area, and youth group meeting space since it was purchased. Building permit No. 10609 indicates that the pole building was constructed in 1998 (Staff Report Attachment "C").

ii. The applicant further states that the property is located on NW Grove Street, which is a dead-end right-of-way that runs between the main church and Bike Newport and accesses only property owned by the church. The existing building had previously been used as an automotive shop specializing in the installation of aftermarket pickup truck accessories. The subject property is bordered on the east and north by Pro-Build Lumber, on the south by Bike Newport, and on the west by the church.

iii. The applicant explains that the appearance and secluded, sheltered location of the property has occasionally invited transient traffic, abandoned vehicles, and dumped garbage to the detriment of the neighborhood. They believe that the development of this lot will benefit the surrounding area

iv. The alteration to the nonconforming use is the addition of a 24' x 37', 2-story building with a meeting room and garage on the first floor and a storage area on the second floor. The anticipated activities if the remodeled building already take place on the adjoining church property.

v. Unlike the existing pole building, the addition is setback from the R-2/C-1 zone district boundary line a distance of almost 24-feet. This provides enough separation for the addition to satisfy the height buffer requirements (NMC 14.18.010). While landscaping to serve as a separated yard buffer is not proposed, given that the structure is to be a part of the larger church facility, there is room for landscaping to be introduced between the addition and property line in accordance with the separated yard requirements should the property be sold and repurposed in the future (NMC 14.18.030).

vi. Considering the above, the Planning Commission concludes that the building expansion is consistent with the character and history of development in the area given that the change will not further exacerbate the nonconforming situation.

b. The comparable degree of noise, vibration, dust, odor, fumes, glare, or smoke detectable within the neighborhood.

i. As discussed previously, the applicant notes that the activities within the expanded building already take place on the adjoining property of the church; therefore, the increase in noise and light glare, if any, will be minimal. Smoke, odors, fumes, etc. are not a by-product of church activities or the anticipated building use and are not a factor in their use.

ii. Considering the above, the Planning Commission concludes that the building expansion will not create noise, vibration, dust, odor, fumes, glare, or smoke in a manner that would result in a greater adverse impact on the neighborhood.

c. Adequacy of infrastructure to accommodate the use (including sewer, water, and streets.)

i. The applicant explains that because the anticipated uses of the remodeled building already take place in the other buildings on the church property there will be little, if any, additional demands placed on infrastructure.

ii. Water and sewer service is available in the NW Grove Street right-of-way.

iii. Considering the above, the Planning Commission concludes that the building expansion will not cause any greater adverse impact on the neighborhood as it relates to the adequacy of infrastructure to serve the use.

d. The comparative numbers and kinds of vehicular trips to the site.

i. The applicant's written findings state that the property abuts the other lots owned by First Baptist Church. The existing church parking lot, which utilized NW Grove as a secondary exit, will continue to be used; therefore, the additional traffic impact will be minimal.

ii. The applicant further notes that the only neighboring property directly impacted by increased traffic using NW Grove will be Bike Newport (abutting property to the south). It should be noted that the usual hours of operation (services and activities) of First Baptist Church and of Bike Newport do not coincide.

iii. Considering the above, the Planning Commission concludes that the building expansion will not cause any greater adverse impact on the neighborhood relative to this criterion.

e. The comparative amount and nature of outside storage, loading, and parking.

i. The applicant indicates that the expanded building will be used for meeting and activities; outside storage and loading are not anticipated in the development plans for this site. The exiting church parking lot will continue to be used for primary parking with two or three parking spaces established on the developed site to accommodate ADA accessibility.

ii. The site plan provided by the applicant shows that there are significant portions of the property that will remain undeveloped, and would be available for parking should the property be sold and repurposed in the future (Attachment "A-3"). This includes a 30-ft x 50-ft portion of the property between the addition and Bike Newport and a 23-ft x 37-ft area in front of the addition.

iii. Given the above, the Planning Commission concludes that the proposed building expansion will not cause any greater adverse impact on the neighborhood with respect to comparative amount and nature of outside storage, loading, and parking.

f. The comparative visual appearance.

i. The applicant fully anticipates the building expansion and the development of the lot to enhance the appearance of the area. As previously noted, the present condition and non-use of the undeveloped portion of the lot are unattractive and often attract transient traffic and occasionally the disposal of garbage.

ii. Considering the above, the Planning Commission concludes that the proposed building expansion will not cause any greater adverse impact on the neighborhood as it relates to comparative visual appearance.

g. The comparative hours of operation.

i. The applicant notes that the anticipated activities for which the building would be used already take place on adjoin property; and, therefore, there will be no increase or adjusted hours of operation.

ii. Based on the above, the Planning Commission concludes that the proposed building expansion will not cause any greater adverse impact on the neighborhood as far as comparative hours of operation.

h. The comparative effect on solar access and privacy.

i. The applicant notes that the subject property abuts the rear entrance of Bike Newport, the storage yard of Pro-Build Lumber, and is across the NW Grove Street right-of-way from the main building of the First Baptist Church. None of these vantage points appear to generate solar access or privacy concerns relative to the proposed building remodel.



- ii. Given the above, the Planning Commission concludes that the proposed building expansion satisfies this criterion.

i. Other factors which impact the character or needs of the neighborhood.

- i. The applicant states that this lot is largely hidden from view from all but the noted neighbors. Because of its secluded nature, it has been the site for abandoned vehicles, dumped garbage, and transient camps. The applicant believes that the development of this lot will eliminate much of the undesired use and be a benefit to the surrounding area.
- ii. The Planning Commission accepts the likely elimination of “trespass use” of the property as an additional factor supporting the approval of this request to expand a nonconforming structure.

j. The approval authority must consider the purpose of the current zoning provisions that cannot be satisfied when determining whether or not the alteration, expansion, or replacement of a nonconforming use or structure will have a greater adverse impact on the neighborhood.

- i. The height buffer and separated yard requirements were put in place to lessen impacts that commercial uses can have on residential uses when they are built in close proximity to each other. This includes solar impacts from larger buildings, noise, traffic, etc. In this case, the abutting use in the R-2 zone is not a residence, but rather it is a church and the proposed building addition on the C-1 zoned land is an expansion of the church use.
- ii. Based on the above, the Planning Commission concludes that the conditions the height buffer and separated yard requirements are intended to address do not exist at this location and; therefore, the proposed building expansion will not result in a greater adverse impact on the neighborhood relative to the objectives of the current zoning provisions.

### OVERALL CONCLUSION

Based on the application material, the Planning Staff Report, and other evidence and testimony in the record, the Planning Commission concludes that the alteration/expansion of nonconforming use will not result in a greater adverse impact on the neighborhood, and the applicant has met the criteria established in the Zoning Ordinance for authorizing alteration/expansion of a nonconforming use. Therefore, the requested alteration/expansion of the nonconforming use as described in the applicant’s findings and supporting documents as submitted, is hereby approved with the following conditions:

1. Approval of this land use permit is based on the submitted written narrative and plans listed as Attachments to the Staff Report. No work shall occur under this permit other than that which is specified within these documents. It shall be the responsibility of the property owner to comply with these documents and the limitations of approval described herein.

# Memorandum

To: Newport Planning Commission

From: Derrick Tokos, Community Development Director 

Date: August 4, 2016

Re: Advisory Committee for System Development Charge / Construction Excise Tax Study

On July 5, 2016 the City of Newport issued a Request for Proposals (RFP) soliciting consulting services to assist in updating its 2007 System Development Charge methodology and in assessing the viability of establishing a construction excise tax for affordable housing. The deadline for submitting proposals was originally set for August 5, 2016. It has been extended to August 19<sup>th</sup> in order to solicit additional interest from qualified consulting firms. The deadline for completing the project and the percentage options for the commercial/industrial construction excise tax were also adjusted. A copy of the RFP, and Amendment No. 1 to the RFP, are posted to the City website at: <http://newportoregon.gov/business/rfpbidsopen.asp>.

The RFP calls for an Ad Hoc Advisory Committee to be formed to assist the consultant and staff with the project. The Committee would be engaged up to a half dozen times between September of 2016 and May of 2017 to review and provide feedback on growth projections, SDC eligible capital projects, alternative SDC methodologies, construction excise tax options, and final policy and code amendment recommendations. The following individuals have been contacted and/or have expressed an interest in serving on the committee:

- Affordable Housing Representative - Joanna Troy, Lincoln County Housing Authority
- Commercial Real Estate – Alan Wells, Broker with Commercial Associates
- Residential Real Estate – Bonnie Serkin, Landwaves (or designee)
- Institutional Representative – David Craig, Oregon State University (or designee)
- Public Works Department – Tim Gross, City Engineer
- Residential/Commercial Design – Dustin Capri, Capri Architecture
- Land Use/Real Estate Legal Expertise – Jeff Waarvick, Attorney
- Planning Commissioner –
- City Council Representative –
- Other ???

Please review this list and let me know if it represents a suitable range of “key” stakeholders. The Commission will need to appoint a representative and provide a recommendation regarding the makeup of the committee to the City Council.

**Marine Studies Initiative Newport Building Siting Recommendation**  
**Executive Summary**  
**July 6, 2016**

Marine Studies Initiative Newport Building Siting Committee\*

**Introduction**

Through its Marine Studies Initiative (MSI), Oregon State University will be recognized as a global leader in 21st-century transdisciplinary education, research and outreach, and lead the development of inclusive global strategies for successful stewardship of the oceans and planet. The MSI will help to create a healthy future through research and teaching that emphasizes collaboration, experiential learning and research, engagement with society and problem solving.

To achieve this goal, the MSI will leverage and build upon OSU's existing strengths in the marine-related sciences and other academic disciplines, coastal community engagement and OSU's state-of-the-art research and teaching facilities, especially those at the Hatfield Marine Science Center (HMSC) in Newport, Oregon. By 2025, the goal is to have 500 full-time equivalent marine studies students resident in Newport, with 400 of those students being undergraduates and 100 as graduate students. The MSI will expand the collaborative, problem-solving and experiential learning environment in Newport with access to real-world scholars, agency scientists and engaging community issues. The MSI program will use existing classrooms, seawater teaching laboratories and facilities, and the Guinn Library at HMSC. MSI programming will improve overall "access to the sea" for OSU students, faculty and staff, thereby creating the foundation for experiential learning and research.

As part of the MSI, the University plans to construct an academic and research building in Newport. Given the importance of the MSI and the priority for safety in light of an eventual significant seismic event occurring along the coast, OSU has conducted a comprehensive evaluation of multiple potential site locations for this building. The primary purpose for this evaluation was to develop a recommendation on siting the building within the tsunami inundation zone at HMSC or on higher ground outside the inundation zone. The evaluation included two third-party reports about the HMSC site (Poland Report) and two alternative sites (Fortis Report), as well as information gathered from a public comment session in Newport, consultations with legislators, and input from a range of government officials and OSU faculty -- primarily from the College of Earth, Ocean and Atmospheric Sciences (CEOAS) and the College of Engineering (COE).

Regardless of the location selected for the MSI Newport building, Oregon State will meet the following building principles:

- The building will be designed to ensure that its structural integrity is maintained for the expected Cascadia Subduction Zone (CSZ) earthquake. This design will enable all occupants—including those with limited mobility—to survive a future seismic event, exit timely manner and, if required, safely follow a tsunami evacuation plan

- The building's design and safety features will serve as a national and global showcase and demonstrate state-of-the-art structural options for future buildings located in seismically active regions worldwide, as well as for earthquake and tsunami readiness.
- The building will have a design occupancy of not more than 350 people.

### **Overview of Seismic Hazards**

All of the Newport-area sites considered are in a high seismic zone. The primary contributor to the seismic hazard is the Cascadia Subduction Zone. When a site is subjected to earthquakes and/or tsunamis, specific seismic hazards are considered: strong shaking, fault rupture, landslides, liquefaction, lateral spreading and tsunamis. All sites in the Newport-area will be subjected to a similar amount of strong shaking during a CSZ event. Some of the hazards, such as fault rupture and a tsunami event, can be avoided by site selection while other hazards, such as liquefaction and lateral spreading, can be prevented through design and construction measures.

Researchers have been able to identify 41 tsunamis associated with CSZ earthquakes of various sizes over the last 10,000 years. Based on the paleo seismic record, the average return interval for significant earthquakes (ranging from 7.4 to 9.2 in magnitude) within the CSZ is about 300 years. The last one occurred in 1700. In the last 10,000 years, the refereed literature indicates that there has been one event of magnitude 9.2. Recent OSU research indicates that there may have been a second event of this magnitude in the past 10,000 years, though this second event is currently not in the refereed literature.

Earthquakes of different sizes generate different sizes of tsunamis. For simplicity, the Oregon Department of Geology and Mineral Industries (DOGAMI) has used the "t-shirt" sizes of S, M, L, XL and XXL to characterize the different sizes of tsunamis using estimated inundation line -- the inland limit of inundation due to the tsunami. According to DOGAMI, inundation depths at HMSC range from less than 1 foot in the "S" event to 27 feet in the "XXL" event. The XXL-line is associated with the largest tsunami in the past 10,000 years.

In 2015, the Governor's Task Force on Implementation of the Oregon Resilience Plan recommended that the L-line, the inundation limit associated with an L-size tsunami, be used for planning and design purposes in the state of Oregon. For this recommended design event, the inundation depth at HMSC for an L-size tsunami is six feet.

### **Student Housing to Be Located Outside of Tsunami Inundation Zone**

Regardless of the location of the proposed MSI Newport building, all new OSU housing for marine studies students, as well as other students working at HMSC, will be constructed above the XXL inundation zone described by DOGAMI. Assuming that students spend about 9 to 10 hours per day at their residence hall, the location of housing on higher ground reduces students' potential time spent in the tsunami zone by about 40 percent while also mitigating the potential impact that darkness might have on students should a seismic event occur at night. OSU is currently conducting due diligence on a site located outside the XXL tsunami inundation zone and proximal to HMSC, for use as student housing.

## Overview of Site Characteristics

### *HMSC Site*

The terrain in the South Beach area that includes the HMSC site is relatively flat and ranges from 15 to 18 feet above sea level. The area is underlain by a deep deposit of sand, whose density varies with location and depth. OSU leases the HMSC campus property from the Port of Newport. Over time, the City of Newport has invested \$3.2 million to develop infrastructure to support the build out of the HMSC marine research and educational facilities.

### *Sites above Tsunami Inundation Zone – “Alternative Sites”*

The two alternative sites identified by OSU are located south of the Yaquina Bay Bridge; are outside the tsunami inundation zone (“XXL-line”) as identified by DOGAMI; and are within the City of Newport and/or the city’s urban growth boundary. The sites are located between one to two miles away from HMSC; respectively provide 11 and 29 acres of developable land; and presently are heavily wooded with undulating terrain. One site includes infrequent deep ravines.

## Summary Evaluation of Sites

Evaluation criteria of all prospective sites included the following factors:

1. Life Safety (seismic, inundation, evacuation, HMSC staff and visitor safety)
2. MSI Program Delivery
3. Cost of Development and Operations; and
4. Schedule

### **1. Life Safety Factors**

#### **A. Seismic**

Both the HMSC site and the alternative sites will experience strong shaking of similar levels. In fact, it is possible that the alternative sites may experience greater shaking due to ground motion amplification. Structures at any of the sites can be designed to survive the strong shaking.

**HMSC Site:** Previous soil borings have been undertaken to determine the site’s underlying sand characteristics. Without appropriate seismic design measures, significant liquefaction settlement is expected at the HMSC site, while it is anticipated the liquefaction settlement inland along the evacuation path may range from negligible to up to six inches. Liquefaction-induced lateral spreading, which may lead to cracks in the ground, is likely along the Yaquina Bay shoreline, but lateral spread is not expected to extend to Marine Science Drive (Fortis Report). Both liquefaction and lateral spreading hazards can be mitigated and are included in the construction cost estimates.

**Alternative Sites:** No signs of slope instability were observed and DOGAMI landslide maps show no indication of historic landslides having occurred at the sites. Based on anticipated subsoil conditions, modest ground motion amplification is anticipated and liquefaction at these locations, and lateral spread hazard are anticipated to be relatively low. Exploratory drilling will

be required to better evaluate these hazards and guide the detailed design and construction processes (Fortis Report).

#### B. Inundation

DOGAMI and OSU College of Engineering inundation models show an estimated arrival time of 30 minutes for the tsunami to reach the proposed HMSC building site. Based on the Poland report recommendations, if the building were sited at HMSC, it should be designed to be repairable for the L-sized tsunami and horizontal evacuation strategies and capabilities should be designed for the worst case XXL-sized event. Inundation is not a concern for the alternative sites.

#### C. Evacuation (*Revision of July 1, 2016 Report*)

Throughout the world, the preferred method of evacuation planning for tsunamis stresses horizontal evacuation routes, preparations, procedures and training. HMSC conducts tsunami evacuation drills twice per year and a very high percentage of HMSC workers have a safety and survival pack (“go bags”) nearby them at their place of work.

Evacuation modeling by the OSU College of Engineering shows that 100 percent of mobile evacuees can make it safely to Safe Haven Hill before the predicted arrival of a tsunami. The City of Newport and FEMA recently have completed a \$900,000 project to improve the tsunami evacuation assembly area at Safe Haven Hill. Located at 70 feet above sea level, the top of Safe Haven Hill features a 2.33-acre area that includes approximately 50,000 square feet of cleared space. Based upon federal and engineering emergency space standards of 10-square-feet per person, the Safe Haven Hill evacuation area will serve 5,075 people. (See recommendation below regarding investments in hardening the evacuation route to Safe Haven Hill.)

Importantly, in addition to providing an emphasis on horizontal evacuation plans, the MSI building design process needs to consider building a seismically safe structure that includes features to vertically evacuate people with limited mobility to the upper levels and roof of the building or to the construction of a dedicated vertical shelter. Training and vertical evacuation drills to serve injured, disabled or elderly individuals should be emphasized and routinely conducted by OSU in coordination with other Newport-area community emergency planners. By doing so, OSU will provide additional life safety capacity to the existing HMSC staff and students, as well as visitors, other agency employees who work at HMSC, or others who work in the South Beach area.

Oregon State employed 356 people at HMSC in the winter of 2015; 436 people in the summer of 2015; and is expected to grow to 800 to 900 people by 2025.

Evacuation to higher ground is not required at the alternative sites.

#### D. HMSC Staff and Visitor Safety

The evacuation route from HMSC to Safe Haven Hill presently is clearly marked with blue tsunami evacuation signs. HMSC designed and implemented a tsunami interpretive trail on behalf of community partners, which each year educate thousands of visitors within the HMSC Visitor Center and the Oregon Coast Aquarium. HMSC is coordinating with South Beach peninsula stakeholders to fully supply two disaster caches at critical nearby evacuation sites.

## **2. *MSI Program Delivery***

Building at an alternative site would significantly compromise MSI program delivery and the ability to meet MSI program goals, due to the extensive spatial disconnect that would occur by separating the activities to occur within the MSI Building from OSU and agency researchers already working within HMSC, and by limiting users of the MSI building from ready access to core HMSC research facilities, including seawater labs. Further, MSI students would still spend the majority of their time at HMSC. Operationally, there would be added complications and likely costs in administering and maintaining offsite facilities. Finally, OSU would miss the opportunity -- and commitment made in the MSI building principles and during fund-raising -- to demonstrate state-of-the-art innovation in seismic and tsunami resilient engineering for local and global coastal communities.

## **3. *Cost***

### HMSC site

OSU can build on leased land at no additional cost. Additional costs for providing seismic and tsunami safety will be included in the \$50 million project cost. Construction on this site creates the opportunity to leverage additional public and private investments to support these safety features.

### Alternative Sites

Construction costs at the alternative sites, including site infrastructure (utilities, roads, lighting, etc.), are estimated to be \$1.5 to \$3.5 million less than for the HMSC site. However, the alternative sites would also require additional one-time expenditures, including the purchase of land (estimated at \$1 to \$4 million) and required infrastructure (estimated at \$1 to \$3 million) to accommodate the off-site research building (shuttle, parking lot at HMSC, traffic flow improvements, facility vehicles, etc.). In addition, annual operating costs of the alternative sites would be approximately \$500,000 to \$700,000 due to the cost of shuttle services and building facilities and custodial support.

## **4. *Schedule from completion of architectural and engineering work***

### HMSC Site

Construction is estimated at 16 months.

### Alternate Sites

Construction ranges between 16-17 months, including possible infrastructure and site preparation work.

## **Additional Considerations**

### ***Faculty Input***

Input regarding the siting of the MSI Newport building was sought from Oregon State faculty with relevant expertise. The initial input was provided in the form of letters from the Geology and Geophysics disciplinary group within the College of Earth, Ocean and Atmospheric Sciences

(CEOAS) and from faculty in the College of Engineering's School of Civil and Construction Engineering (COE). CEOAS Geology and Geophysics faculty urged the consideration of alternative sites located outside of the known tsunami flooding zones. COE faculty noted that Oregon State is in a unique position to provide evaluation in planning, design and construction, and education to reduce the coastal impact of a Cascadia Subduction Zone event. COE faculty urged OSU to design and construct the new Marine Studies facility beyond the conventional code requirements to serve as a model for earthquake and tsunami resilience.

COE and CEOAS faculty were asked by University leadership to review and comment on the two MSI building third-party reports: the Poland and Fortis reports. COE faculty did point out the requirement to address life safety at the three locations due to an earthquake citing that the MSI project would be new construction and would have to conform to seismic codes. The COE faculty discussion did not reveal any "red flags" or technical challenges which could not be overcome, and they noted that a well-designed building within the tsunami inundation zone would increase life safety opportunities for people already working within the surrounding area. COE faculty concluded that the new construction and plans to increase life safety should be integrated with the overall planning for the Newport campus.

CEOAS Geology and Geophysics faculty noted that the Poland Report concludes that a building that can withstand a large earthquake and tsunami and provide life safety for an extra-large event is feasible. They concluded that an alternative site "makes sense in terms of economic, hazard, life safety and longevity considerations." They also agreed with the recommendation for a new reinforced evacuation path to provide improved egress from existing facilities in and around HMSC. CEOAS Geology and Geophysics faculty concluded by recommending a long-term plan to relocate all existing OSU facilities to an alternative site above the tsunami inundation zone to substantively avoid the multiple natural hazards that exist at the HMSC site.

### ***Community stakeholder input***

Newport community stakeholder input is nearly unanimous in favor of building the MSI Newport building at HMSC. The Mayor and City Manager of Newport both stressed the investments made by the city and partners to improve the South Beach tsunami evacuation route and evacuation assembly area at Safe Haven Hill. Lincoln County Commissioners remarked that the risks of building at the HMSC site are mitigated by on-going advancement in structural design to withstand tsunamis including vertical evacuation features, and by the advancement in effective early detection and warning systems.

Leaders of three major OSU programs located at HMSC -- the Cooperative Institute for Marine Resources Studies (CIMRS); the Coastal Oregon Marine Experiment Station (COMES); and the

Marine Mammal Institute (MMI) -- stressed that building on the HMSC site will provide "an excellent example of how to build earthquake- and tsunami-safe buildings in coastal communities" and that the new building can "be engineered to increase survivorship for individuals working at South Beach by acting as an alternate on-location 'safe haven' for the disabled and injured."



Other HMSC faculty and staff emphasized the synergy of having the new MSI Newport building be built on the HMSC campus to gain the positive benefits of collaboration with existing personnel and facilities. HMSC faculty and staff also expressed concerns about potential damage to the tsunami evacuation route from the earthquake and the need for seismic retrofitting of existing OSU HMSC buildings.

### ***HMSC Federal and State Agency plans (Revision of July 1, 2016 Report)***

A survey of government agencies located on the HMSC campus, including the National Oceanic and Atmospheric Administration (NOAA); the U.S. Environmental Protection Agency (USEPA); the United States Department of Agriculture (USDA); the United States Fish and Wildlife Service (USFWS); and the Oregon Department of Fish and Wildlife (ODFW), indicated that the agencies were supportive of the MSI program, are aware of the potential seismic and tsunami hazards, and had no plans to leave the HMSC location. Each agency is involved in discussions of how to best prepare for seismic and tsunami hazards. NOAA leadership expressed interest in the potential for vertical evacuation in the new MSI building, especially for individuals who are mobility challenged and who may have difficulty reaching other higher ground locations in a timely manner.

### ***Government agency and/or Commission Communications***

Over the last two years, University officials have been in frequent contact with a wide variety of federal, state and local government officials and entities. Throughout the consideration of the capital project, both Governors Kitzhaber and Brown were kept fully aware that MSI plans provided for the construction of the building in the tsunami inundation zone. Through consideration of House Bill 5005, members of the Legislature's Joint Ways and Means Committee anticipated and enabled the construction of the project on the HMSC campus. In our evaluation, members of the Newport Building Siting Committee also recognize that the legislative history of the project's consideration does not require that the building be located on HMSC campus.

The committee acknowledges the importance of the natural hazard issues faced by all of Oregon's universities that are cited in a Feb. 1, 2016 letter sent by the chair and vice chair of the Oregon Seismic Safety Policy Advisory Commission (OSSPAC). While these resiliency issues are relevant to the location selected for the MSI Newport building, they predominantly apply to all of OSU's statewide operations. The Newport Building Siting Committee believes that Oregon State University should convene a seismic preparedness committee to evaluate and provide the University strategic recommendations on the following issues in the event of a major seismic event:

- Continuity planning for general university operations planning;
- Continuity planning for grant-funded research;
- Continuity planning for on-going student enrollment and tuition revenues;
- Continuity planning for research centers, experiment stations and extension centers along the coast and throughout the state that would be relied on after a seismic event.

In the event of a CSZ XXL-sized event, OSU might face liability for repair, recovery and cleanup of the campus facilities (both the existing and any new MSI Building). OSU's Risk Management intends to address this liability by extending existing insurance coverage to the new HMSC building. This coverage insures for costs associated with repair, recovery and cleanup of the campus facilities in the event of damage caused by either earthquake or flooding. OSU is currently protected from property damage caused by earthquake at a \$100 million limit which specifically includes the Pacific Northwest earthquake zone and flood insurance at a \$250 million limit. The premium amount charged to OSU for such property insurance for the new MSI building will not change because the property is inside or outside of the tsunami inundation zone. While OSU is working to avoid or mitigate personal injury and any loss of life in such a catastrophic event, we have also confirmed that OSU's liability is mitigated through insurance and negligence findings are less likely given OSU's dedication to meet or exceed industry standards for building and evacuation training.

A CSZ event might also have a significant impact on the surrounding community which might require a shutdown of the HMSC campus. This shutdown can occur regardless of the location of the new MSI building. Because of that possible shutdown, OSU is exposed to potential liability in the form of lost tuition, lost research grant revenue and obligations to continue to pay operating costs for the faculty and staff in salary and OPE. The financial model for MSI (which has a large number of assumptions in it) projects \$12.8 million in revenues for fiscal year 2025. More than 90 percent of that revenue is projected to come from tuition from the student growth. Assuming OSU is still able to operate in Corvallis following a seismic event, OSU would presumably move Newport-based classes to facilities in Corvallis, and relocate what research activity that had not been lost into Corvallis labs. Because operating costs for the faculty and staff in salary and OPE would continue despite a shutdown of HMSC, presumably faculty and staff would move their work to Corvallis during restoration of the HMSC campus. In addition, OSU is also covered by a business interruption policy which covers lost tuition and research revenue and expenses, such as payment of salaries. OSU would look to its insurance provider to cover its revenue losses to the extent that mitigation efforts are not 100 percent successful.

In recent conversations, Jay Wilson, chair of the OSSPAC -- without expressing an opinion regarding precisely where the facility should be constructed -- expressed that he was pleased with the robust process OSU has followed. He said he understood OSU needs to balance function and seismic issues, and he expressed an assurance that through this process, President Ray can reach a thoughtful siting decision, whatever that decision may ultimately be.

During a February 2016 meeting with the Coastal Legislative Caucus, all legislators present were adamant in supporting construction of the facility on the HMSC campus. A number of members expressed deep concerns regarding the precedent -- and possible impacts to the economic vitality of the coastal region -- if OSU were to locate the facility outside of the tsunami inundation zone.

From numerous conversations involving OSU officials and a wide variety of political and governmental entities over the last two years, it is clear that construction within the inundation zone should be contingent upon the inclusion of design elements that will enable the building to withstand a significant seismic event, as well as provide for adequate evacuation infrastructure and plans from the HMSC campus.

### ***Donor intent***

The degree to which the primary donor is committed to locating the building at HMSC is not presently known. While the 2013 proposal to the primary donor was very explicit about building at the HMSC site, follow up will be needed with all donors if one of the alternative sites is selected. In the donor proposal, the building site at HMSC was specifically emphasized to:

- 1) Ensure that “students will have outstanding access to the full spectrum of research and educational facilities of the Marine Studies Campus and nearby natural habitats;”
- 2) “Build on Hatfield Marine Science Center’s exceptional resources for education, research and outreach;” and
- 3) “Access the collaboration and innovation which is so deeply ingrained in the culture at Hatfield, where OSU researchers work in close proximity to and in collaboration with researchers in federal and state agencies.”

As summarized in the section on program delivery, it may be possible to marginally meet these expectations at an alternative site, but it will be more difficult and operationally expensive to do so.

It was also clear within the donor proposal that “the facility will be designed with structural resiliency for seismic and tsunami events,” and that “student housing facilities for the Marine Studies Campus will be located outside the hazard zone.”

### ***Summary Recommendations (Revision of July 1, 2016 Report)***

Based on this comprehensive evaluation of the alternative sites and the HMSC location, it is recommended that OSU build the new MSI Newport building on the HMSC campus. This recommendation is based on due consideration of life safety while addressing program delivery, cost and schedule.

By building a seismically safe structure on the HMSC campus – with the ability to vertically evacuate people – OSU will deliver additional life safety capacity for existing HMSC employees and visitors. Building at the HMSC campus site will maximize the ability to meet the MSI programmatic goals due to new building’s proximity to existing OSU and agency researchers, and access to core research facilities.

Even if the MSI building were built away from the HMSC campus, students would still spend the majority of their day time at HMSC, significantly negating the intended goal of keeping students out of the tsunami zone.

By building at the HMSC site, OSU will demonstrate state-of-the-art innovation in seismic and tsunami resilient engineering to local and global coastal communities.

Further, by building a seismically safe structure on the HMSC campus with the ability to vertically evacuate people, OSU will address life safety for those individuals with limited mobility or who are injured during a seismic event by providing training and vertical evacuation drills in coordination with other Newport-area community emergency planners. By doing so,

OSU also will provide additional life safety capacity to the existing HMSC staff and students, as well as visitors, other agency employees who work at HMSC, or others who work in the South Beach area.

The building should be designed to allow individuals with limited mobility to be assisted in reaching the building's upper floors and roof.

In addition to this summary recommendation, the MSI Siting Committee also recommends:

- Improvement of evacuation route between the HMSC campus and Safe Haven Hill to mitigate risk from soil liquefaction. Hardening of the evacuation route with reinforced pavement will reduce the risk of cracking and faulting along the route, hence improving safe evacuation including for wheel chair access. The direct construction cost of this hardening is estimated at about \$515,000.
- Hold the project budget to \$50 million even if the building gross square footage is compromised to achieve the life safety benefits.
- A holistic evaluation by the University of seismic conditions at all OSU locations, including HMSC, and creation of a seismic safety improvement plan for each location. This effort will include implementing over the next decade recommendations in the Fortis Construction Inc. report as how to bring existing HMSC buildings up to appropriate standards.
- Continuation of ongoing and improved seismic safety and tsunami evacuation training for all HMSC visitors, students and employees in association with the local community. This preparation must address the needs of everyone, including those with limited mobility.

Finally, the MSI Newport Building and any related seismic improvements and safety efforts should capture a full learning experience for OSU students, as well as the community at large.

**\*MSI Newport Building Siting Committee membership:**

Ron Adams, Interim Provost and Executive Vice President

Scott Ashford, Dean, College of Engineering

Anita Azarenko, Associate Vice President designate, Capital Planning, Development & Facilities Operations

Jack Barth, MSI Executive Director

Steve Clark, Vice President for University Relations and Marketing

Robert Cowen, HMSC Director

Lori Fulton, Manager of Capital Administration

Mike Green, Interim Vice President for Finance and Administration/CFO

Jock Mills, Director, Government Relations

Kelly Kozisek, Chief Procurement Officer

Terry Meehan, Associate General Counsel

Nicole Neuschwander, Director of Leasing and Strategic Real Property Management

Cindy Sagers, Vice President for Research

Gabrielle Serra, Director, Federal Relations

## PLANNING COMMISSIONER TRAINING REGISTRATION

One form per person (duplicate as needed)

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Title: \_\_\_\_\_

Organization: \_\_\_\_\_

Address: \_\_\_\_\_

City/ Zip: \_\_\_\_\_

Phone: \_\_\_\_\_

E-mail: \_\_\_\_\_

### Registration Fee:

- OCPDA Member City—\$50/person
- Non-OCPDA Member City—\$75/person
- See reverse side for cancellation policy.

### Registration Deadline:

Wednesday, September 14th, 2016

### Payment:

Make Checks Payable to OCPDA

### Mail Checks and Registration to:

OCPDA

C/O League of Oregon Cities

1201 Court St. NE, Suite 200

Salem, OR 97301



Oregon City Planning  
Directors Association  
League of Oregon Cities  
1201 Court St. NE, Suite 200  
Salem, Oregon 97301

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September 29, 2016

1:00 pm to 4:30 pm

The Grand Hotel in Salem,  
Marion Room  
201 Liberty Street SE  
Salem, Oregon 97301  
(503) 540-7800



The Oregon City Planning Directors Association is pleased to offer its annual Planning Commissioner Training to City and County Commissioners and staff. This training is offered in coordination with the Annual Conference of the League of Oregon Cities.

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## TRAINING TOPICS

**1:00 - 2:00**

### **Public Meetings, Ethics, and Carrie's Rules of Order**

Learn how to run an effective public meeting, filter public testimony, and avoid common legal pitfalls associated with open meetings, ethics, and conflicts of interest.

*Session led by Carrie Richter, Land Use Attorney and Adjunct Professor, Land Use Law, Lewis & Clark Law School and PSU Center for Urban Studies.*

**2:15 - 3:15**

### **Why can't we get more people involved in the planning process?**

Discuss successful ways to engage your citizens, communicate with the public, and how to work effectively with your elected officials.

*Session led by Kirstin Greene, Managing Principal of Cogan Owens Greene.*

**3:30 - 4:30**

### **Accomplish the right things with ease.**

In this roundtable discussion, hear from a panel of seasoned planning commissioners and professional planners about their successes and failures over the past year. We will discuss current trends in planning, dealing with difficult people, and the issues that have made us pull our hair out.

*Session led by Aquilla Hurd-Ravich, City of Tualatin Planning Manager; President, OCPDA.*



### **Cancellations and Refunds:**

A 50% refund will be issued for cancellations after the registration deadline of September 14, 2016. Full refunds will be issued for cancellations prior to the deadline.

### **Questions:**

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OCPDA Secretary  
541-492-6750  
[bdavis@cityofroseburg.org](mailto:bdavis@cityofroseburg.org)

Or

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